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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,568	02/19/2004	David C. Coffin	6579-0077-1	2107

7590 07/07/2006

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EXAMINER

DEXTER, CLARK F

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/782,568

Applicant(s)

COFFIN ET AL.

Examiner

Clark F. Dexter

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/14/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed on January 16, 2005 has been received and the references listed thereon have been considered.

Drawings

2. The drawings are objected to because the shaving aid outlets are not labeled, and it is suggested in Figure 3 to add numeral 52a or the like along with a lead line to the shaving aid outlet (at the end of conduit 52).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 3724

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The term "shaving aid outlet" is claimed (claim 1) but does not appear to be sufficiently described, and it is suggested to add it to the detailed description along with a corresponding numeral (e.g., 52a).

The term "comfort strip" is claimed (claim 7) but does not appear to be sufficiently described, and it is suggested to add this term to the detailed description as appropriate.

4. The disclosure is objected to because of the following informalities:

In paragraph 11, line 2, "A-A" is not shown and should be changed to -- 3-3 -- or the like.

Appropriate correction is required.

Claim Objections

5. Claim 11 and 13 are objected to because of the following informalities:

In claim 11, line 2, "are" is improper and should read --is--.

In claim 13, line 5, a comma --,-- is missing after "therein".

Appropriate correction is required.

Claim Rejections - 35 USC § 112, 2nd paragraph

6. Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, lines 3-5, the recitation "said razor cartridge being configured to fluidly communicate with a shaving aid reservoir so that said shaving aid from said reservoir can be introduced into said conduit" is vague and indefinite as to what additional structure is being defined (i.e., it is not clear as to what structure corresponds to the recitation "configured to fluidly communicate with a shaving aid reservoir" that enables the recited function to be performed).

In claim 4, lines 1-2, "said support member" lacks antecedent basis.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3, 5 and 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Andrews, pn 6,161,288.

Art Unit: 3724

Andrews discloses a razor cartridge (e.g., see Figs. 9-17) with every structural limitation of the claimed invention including:

a housing (e.g., including 174, 175),

a first razor blade assembly (e.g., including blades 144) positioned in said housing;

a second razor blade assembly (e.g., including blades 145) positioned in said housing;

said first and said second razor blade assemblies each including at least one razor blade (e.g., 144, 145) having an at least partially exposed cutting edge, said razor blades positioned in said first and second blade assemblies to allow hair to be cut from a user's skin when said razor cartridge is drawn thereover in either of two generally opposite cutting directions;

at least one shaving aid outlet (e.g., between 146, 147) defined by said razor cartridge and positioned between said first and second razor blade assemblies; and

means (e.g., 166) defining a flow path for directing a shaving aid to said shaving aid outlet;

[claim 2] further comprising a support member (e.g., 142, 143, upper portion of 152 including 146, 147) positioned between said first razor blade assembly and said second razor blade assembly, said shaving aid outlet being defined by said support member;

[claim 3] wherein said means (e.g., 166) defining a flow path includes a conduit (e.g., 166) defined by said support member (e.g., upper portion of 152) and in fluid

Art Unit: 3724

communication with said shaving aid outlet, said razor cartridge being configured to fluidly communicate with a shaving aid reservoir so that shaving aid from said reservoir can be introduced into said conduit (e.g., the subject structure is fully capable of receiving shaving aid fluid in conduit 166);

[claim 4] wherein said support member (e.g., 142, 143, upper portion of 152 including 146, 147) defines a channel (e.g., the portion between 142 and 143) positioned between said first razor blade assembly and said second razor blade assembly, said shaving aid outlet being positioned to discharge said shaving aid into said channel;

[claim 5] wherein said at least one shaving aid outlet includes a plurality of shaving aid outlets each defined at least in part by a surface that also at least in part defines said channel;

[claim 9] wherein said housing defines at least one drainage channel (e.g., 165, 167);

[claim 10] wherein said housing defines a plurality of drainage channels (e.g., 165, 167);

[claim 11] wherein a first portion (e.g., 165) of said plurality of drainage channels are positioned adjacent to said first razor blade assembly and a second portion (e.g., 167) of said plurality of drainage channels is positioned adjacent to said second razor blade assembly;

[claim 12] wherein said first razor blade assembly includes at least one first pair of razor blades (e.g., blades 144) positioned therein, each of said first razor blades

Art Unit: 3724

having an at least partially exposed cutting edge, and said second razor blade assembly includes at least one second pair of razor blades (e.g., blades 145) positioned therein each of said second pair of razor blades having an at least partially exposed cutting edge; and wherein said cutting edges of said at least one first pair of razor blades are positioned opposite and facing toward said cutting edges of said at least one second pair of razor blades so that during a shaving operation, the razor cartridge can cut hair when drawn over a user's skin in either of two generally opposite directions.

[claim 13] wherein said first razor blade assembly includes at least one first pair of razor blades (e.g., blades 144) positioned therein, each of said first razor blades having an at least partially exposed cutting edge, and said second razor blade assembly includes at least one second pair of razor blades (e.g., blades 145) positioned therein, each of said second pair of razor blades having an at least partially exposed cutting edge; and wherein said cutting edges of said at least one first pair of razor blades are positioned opposite and facing away from said cutting edges of said at least one second pair of razor blades so that during a shaving operation, the razor cartridge can cut hair when drawn over a user's skin in either of two generally opposite directions.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews, pn 6,161,288.

Andrews discloses a razor cartridge (e.g., see Figs. 9-17) with almost every structural limitation of the claimed invention as described above but lacks (a) the first and second razor blade assemblies are movable relative to said housing between a neutral and a retracted position, and (b) at least one comfort strip coupled to said housing, wherein said at least one comfort strip includes a first comfort strip coupled to said housing adjacent said first blade assembly, and a second comfort strip coupled to said housing adjacent said second blade assembly.

Regarding (a), Andrews teaches the use of resiliently mounted blades in other disclosed embodiments (e.g., the embodiment of Figure 70), wherein the resiliently mounted blades are movable relative to said housing between a neutral and a retracted position. Such resiliently mounted blades provide various well known benefits including

Art Unit: 3724

providing a more comfortable and efficient shave wherein the blades can move independently in a manner that corresponds to the skin profile of the user. Therefore, it would have been obvious to one having ordinary skill in the art to provide such resiliently mounted blades on the embodiment of Figures 9-17 to gain the well known benefits including those described above.

Regarding (b), Andrews teaches the use of such comfort strips in other disclosed embodiments (e.g., the embodiment of Figure 70) in the form of flexible members (e.g., 964, 966). Such flexible members provide various well known benefits including stretching the skin to provide a more efficient and comfortable shave. Therefore, it would have been obvious to one having ordinary skill in the art to provide such strips on the embodiment of Figures 9-17 to gain the well known benefits including those described above.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

Art Unit: 3724

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Clark F. Dexter', with a stylized flourish at the end.

Clark F. Dexter
Primary Examiner
Art Unit 3724

cfd
June 27, 2006